

II. REMARKS

Claims 1-33 remain in the application.

1. Applicants respectfully submit that claims 1-33 are not anticipated by Balogh (US 2001/0024953) under 35 USC 102(b).

1.1 Balogh fails to disclose or suggest associating a first plurality of operating characteristics for the mobile device with a first location, detecting the location of the mobile electronic device, and adopting the first operating characteristics in the mobile electronic device when it is located at the first location, as recited by claims 1 and 13.

Balogh selects a first access point with best connection attributes to a network and a second access point with best connection attributes to another network. A connection to the second access point is established if the differences between the connection attributes meet certain pre-determined conditions.

Balogh does not associate operating characteristics for a mobile device with a first location. Balogh does appear to include settings for connecting to different networks based on a logical network name but there is no disclosure that suggests that operating characteristics are associated with a location. Paragraph [0049] cited by the Examiner describes a mobile terminal with a transceiver, user interface, CPU, memory, and smart card but has nothing about associating a location with a plurality of operating characteristics.

Balogh does not disclose detecting the location of the mobile device. Paragraph [0031] cited by the Examiner describes how a terminal sends probe requests and receives probe responses to determine the information sets and networks that may be used in the current location area of the terminal. The probe responses include network names but there is no disclosure related to detecting the location of the mobile device.

Balogh also fails to disclose or suggest adopting the first operating characteristics in the mobile electronic device when it is located at the first location. Because Balogh's

terminal does not determine its location, the terminal does not adopt operating characteristics based on location. Paragraph [0036], cited by the Examiner, mentions that the settings may be used to access another network and that the user need not be aware of network or system settings. However, there is nothing in Balogh related to adopting first operating characteristics in the mobile electronic device when it is located at a first location.

1.2 Balogh also fails to disclose or suggest:

a memory for defining a first theme and a second theme, wherein the first theme defines how an electronic device is controlled by the user input to select an option when the first theme is adopted by the electronic device and the second theme defines how an electronic device is controlled by the user input to select an option when the second theme is adopted by the electronic device,

selection means for selecting said first theme or said second theme for adoption by the electronic device, and

a controller, for controlling the operation of the electronic device at least partially in accordance with the adopted one of the themes,

as recited by claim 17.

Claim 17 teaches two themes, each of which defines how an electronic device is controlled by a user input to select an option when that theme is adopted by the device. Applicants fail to find different themes that define how a device is controlled by user input in Balogh. Paragraph [0049], cited again by the Examiner simply describes a mobile terminal with a transceiver, user interface, CPU, memory, and smart card.

1.3 Balogh further fails to disclose or suggest providing a first theme defining how an electronic device is controlled by a user to select an option when the first theme is adopted by the electronic device, providing a second theme that defines how an electronic device is controlled by the user to select an option when the second theme is

adopted by the electronic device, and selecting the first theme or the second theme for adoption by the electronic device, as recited by claim 28.

Applicants fail to find different themes that define how a device is controlled by a user in Balogh. Paragraph [0033], cited by the Examiner, simply states that a user may be provided with the chance of selecting an information set if more than one is available. Paragraph [0039] describes how Balogh selects a first access point with best connection attributes to a network and a second access point with best connection attributes to another network. Nowhere does Balogh disclose or suggest providing first and second themes that define how a device is controlled by a user and selecting one of the themes.

1.4 Balogh still further fails to disclose or suggest:

a memory for associating a first theme with a first location, wherein the first theme defines how an electronic device is controlled by the user input to select an option when the first theme is adopted by the electronic device,

detection means for automatically detecting when the mobile device is at the first location, and

selection means for selecting said first theme for adoption by the electronic device when the mobile device is at the first location,

all as recited by claim 32.

Balogh does not associate a first theme for a mobile device with a first location. Balogh stores information sets for accessing networks and network resources (see [0024]) but does not associate themes with locations. Balogh does not disclose detecting the location of the mobile device. Paragraph [0036], cited by the Examiner, mentions that the settings may be used to access another network and that the user need not be aware of network or system settings but, like the rest of Balogh fails to disclose or suggest automatically detecting when the mobile device is at a first location. Because

Balogh does not detect when a device is at a first location, Balogh is incapable of having a selection means for selecting the first theme for adoption by the electronic device when the mobile device is at the first location.

1.5 Balogh has no disclosure related to a method of customising the manner in which an electronic device, having a plurality of user selectable options, is controlled by a user to select an option, comprising providing a first theme defining how an electronic device is controlled by a user to select an option when the first theme is adopted by the electronic device, detecting when the mobile electronic device is at a first location, and adopting the first theme when the mobile electronic device is located at the first location, as recited by claim 33.

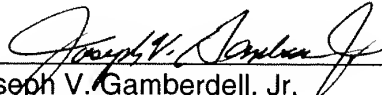
Balogh is directed to selecting access points with best connection attributes and establishing a second connection if the differences between the connection attributes meet certain pre-determined conditions. Balogh has no disclosure related to customising the manner in which an electronic device is controlled by a user to select an option. The Examiner cites paragraph [0027] but this only describes various settings for 802.11 communication, and that the radio channel may be selected automatically or manually. Furthermore, as argued above, Balogh does not provide themes defining how an electronic device is controlled by a user, and does not detect when a mobile electronic device is at a first location. Because Balogh does not detect when a device is at a first location, Balogh cannot adopt the first theme when the mobile device is at the first location.

For all these reasons, Applicants submit that Balogh does not anticipate independent claims 1, 13, 17, 28, 32, and 33 and dependent claims 2-12, 14-16, 18-27, and 29-31.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Joseph V. Gamberdell, Jr.
Reg. No. 44,695

21 December 2007
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: Dec. 26-07 Signature: 
LYNN SHERROD
Person Making Deposit